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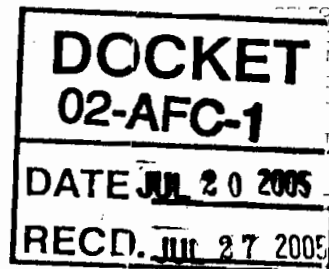
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Senate
California Legislature
JIM BATTIN
SENATOR

THIRTY-SEVENTH SENATE DISTRICT



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July 20, 2005

Commissioner John L. Geesman
California Energy Resources, Conservation and Development Commission
1516 9th Street
Sacramento, CA 95814

RE: Blythe II Power plant Application

Dear Commissioner Geesman:

I am writing to you in regard to permitting of the Blythe II 500 MW power plant. I understand that the California Energy Resources, Conservation and Development Commission (CEC) will hold a hearing on the Blythe II permit application on August 1 and 2. I am interested in Blythe II because the City of Blythe is located in my Senate district, because I sit on the Senate Energy, Utilities and Communications Committee, and because our state has a compelling need to get new power plants on line as soon as possible.

It is my understanding that the CEC is considering granting a permit for Blythe II that would preclude the use of a water cooling system, and that the CEC might prefer a dry cooling system. I am concerned about this possibility.

Blythe II is already designed to use a water-cooling system. I understand that changing the design to a dry cooling system will delay the project. California needs new power plants to come on line as soon as possible to meet our increasing demand for electricity. I am very concerned about delaying Blythe II unnecessarily while demand continues to grow to the point that it may again outstrip supply. The citizens and the businesses of California cannot afford to return to rolling blackouts.

Moreover, a water-cooling system is standard technology. Many power plants, including Blythe I, employ such a system. The developers of Blythe II have already designed the power plant to use a water-cooling system. This would appear to be sensible, as Blythe II will sit atop a groundwater basin. Its owners, therefore, have the right under California law to pump their proportionate share of the groundwater and to put that water to reasonable and beneficial use.

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In addition, the Commission's argument that a dry cooling system is superior to a water cooled system since it conserves water is entirely misplaced. The Palo Verde Valley where Blythe II will be built has one of the state's oldest rights to water from the Colorado River, having filed its first claim in 1877. Along with the Yuma area, Imperial, and Coachella, Palo Verde is first in line for the first 3.85 million acre feet of water taken from the Colorado River. While water conservation is certainly important, though I remain perplexed as to why an Energy Commission is focused on it, this focus is less of an issue in Blythe than it would be in other areas of the state given the region's ample water supplies.

Consequently, it appears that precluding the developers of Blythe II from using groundwater to which they have a right presents some legal challenges, especially for a body that has the authority to regulate energy, rather than water.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "James F. Battin, Jr." in a cursive script.

JIM BATTIN
Senator
37th District

JFB:mr

Cc: Commissioner Joe Desmond, Chair
Commissioner Jackalyn Pfannenstiel
Commissioner Arthur H. Rosenfeld
Commissioner James D. Boyd